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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,785	10/30/2003	Tetsuo Fujii	01-472	7735
23400	7590	03/17/2006	EXAMINER	
POSZ LAW GROUP, PLC 12040 SOUTH LAKES DRIVE SUITE 101 RESTON, VA 20191			NADAV, ORI	
			ART UNIT	PAPER NUMBER
			2811	

DATE MAILED: 03/17/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/695,785

Applicant(s)

FUJII, TETSUO

Examiner

Ori Nadav

Art Unit

2811

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 3-7 and 10-19 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2,8,9 and 20-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

Upon allowance of generic claims, all dependent claims previously withdrawn from consideration under 37 CFR 1.142 will be rejoined.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 9 and 20-22 are rejected under 35 U.S.C. 102(b) as being anticipated by Kato (5,773,881).

Regarding claim 20, Kato teaches in figure 7 and related text a dynamic quantity sensor comprising:

a sensor board 23 including a movable portion 22 at one surface side thereof, wherein the movable portion is displaced under application of a dynamic quantity; and

circuit board 31 for communicating with the sensor board, wherein the circuit board is disposed so as to confront one surface of the sensor board through a gap portion 29 and to cover the movable portion, and wherein the sensor board and the circuit board are partially bonded to each other around the gap portion, wherein the movable portion 22 is disposed within a sealed gap 29 that is sealed by sealing the sensor board 23 and circuit board 31.

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Regarding claim 1, Kato teaches in figure 7 and related text a dynamic quantity sensor comprising:

a sensor board 23 including a movable portion 22 (located at the left side of 22) at one surface side thereof and a silicon layer (the fixed end of 22 located above pedestal 24 located at the right side of 22) at another surface side thereof, wherein the movable portion is displaced under application of a dynamic quantity and the silicon layer is separated from the movable portion by an insulator (air is an insulator, and the claimed insulator is the air portion located in the groove 2a (see figure 3) between the silicon layer is separated from the movable portion); and

circuit board 31 for communicating with the sensor board, wherein the circuit board is disposed to confront the one surface of the sensor board through a gap portion 29 and to cover the movable portion, and the sensor board and the circuit board are bonded to each other around the gap portion so that a bonding portion is formed that substantially surrounds and seals the gap portion, wherein the gap portion 29 is sealed by sealing the sensor board 23 the circuit board 31 and the gap bonding portion wherein the movable portion is disposed within the sealed gap portion.

Regarding claims 2, 5 and 9, Kato teaches a sensor board and a circuit board are sealingly wrapped by mold material 33, and a lead frame for transmitting electrical signals to an exterior, wherein the sensor board is bonded to the lead frame on another surface opposite to the one surface of the sensor board facing the circuit board.

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Regarding claims 21 and 22, Kato teaches a spacer (the vertical part of circuit board 31 which makes direct contact to sensor board 23) substantially surrounds the gap portion 29, wherein the spacer has a predetermined thickness for separating the circuit board from the movable portion 22.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kato in view of Applicant Admitted Prior Art (AAPA).

Kato teaches in figure 7 and related text substantially the entire claimed structure, as applied to claim 1 above, except the sensor board and the circuit board are electrically connected to each other by bonding wires.

AAPA teaches in figure 19 and related text a sensor board 10 and a circuit board 20 are electrically connected to each other by bonding wire. It would have been obvious to a person of ordinary skill in the art at the time the invention was made to electrically connect the sensor board and the circuit board of Kato's device to each other by bonding wire in order to use the device in an application which requires the inclusion of more passive elements in the circuit board.

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***Response to Arguments***

Applicant's arguments with respect to claims 1-2, 8-9 and 20-22 have been considered but are moot in view of the new ground(s) of rejection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ori Nadav whose telephone number is 571-272-1660. The examiner can normally be reached between the hours of 7 AM to 4 PM (Eastern Standard Time) Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eddie Lee can be reached on 571-272-1732. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



O.N.  
3/14/06

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PRIMARY EXAMINER  
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